

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

United States District Court
Southern District of Texas
FILED

for the

Southern District of Texas

JAN 15 2020

United States of America

David J. Bradley, Clerk

Sergio Garcia

YOB: 1967, COC: MEX

Case No. M-20-0093-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 13, 2020 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

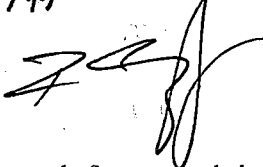
18 United States Code § 554

Did knowingly and willfully conspired to export or send from the United States, any merchandise, article, or object, to wit: five AK47 kits and one M1919 A4 kit, contrary to any law or regulation of the United States, or receives, conceals, buys, sells, or in any manner facilitates the transportation, concealment, or sale of such merchandise, article or object, prior to exportation, knowing the same to be intended for exportation contrary to any law or regulation of the United States.

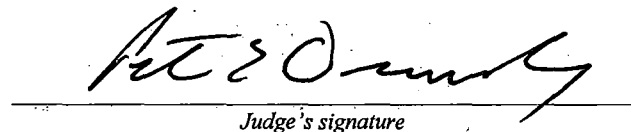
This criminal complaint is based on these facts:

SEE ATTACHMENT "A"

✓ Continued on the attached sheet.

Approved by

Complainant's signatureGregory Connolly, HSI Special Agent
Printed name and title

Sworn to before me and signed in my presence.

Date: 1/13/2020 8:54 am
Judge's signatureCity and state: McAllen, TexasPeter E. Ormsby, U.S. Magistrate Judge
Printed name and title

ATTACHMENT A

On January 13, 2020, law enforcement authorities detained Sergio GARCIA (hereinafter known as GARCIA), who lacked status to be in the United States, in McAllen, Texas. At the time of GARCIA's detention, he was in possession of a 5 AK47 kits and one M1919 A4 kit ("the defense articles"), all of which were subsequently seized.

Subsequently, at the McAllen Homeland Security Investigations ("HSI") office, GARCIA waived his Miranda rights both verbally and in writing. During a post-Miranda interview, GARCIA admitted to picking up the AK47 weapons kits, as well as the M1919 A4 kit so he could provide them to another individual for illegal export from the United States into Mexico. GARCIA stated he knew it was illegal to smuggle firearms and firearms parts into Mexico from the United States and he did not have a license to do so. GARCIA further stated he was going to be paid \$100 to do so for his role in the conspiracy.

According to the U.S. Department of State, Office of Defense Trade Controls Compliance (DTCC), the seized defense articles are determined to be defense articles described on the United States Munitions List (USML) and regulated for export pursuant to the Arms Export Control Act (Title 22, United States Code, 2778).